

SENATE BILL 1126  
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 4, relative to special license plates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-201, is amended by adding the following language as new subsection (k):

(k)

(1) Notwithstanding any provision of this part to the contrary, effective July 1, 2005, and for all subsequent fiscal years, the department of safety shall establish and issue one (1) standard specialty license plate of generic design. Such standard specialty license plate shall replace all other cultural, specialty earmarked and new specialty earmarked license plates issued pursuant to this part, excluding personalized plates.

(2) The department of safety shall assign unique identifying letters and numbers to individual standard specialty license plates, whereby the total characters do not exceed the sum of seven (7).

(3)

(A) Such standard specialty license plate shall bear the word "Tennessee" and shall have sufficient space for an emblem or logo associated with the special group or special purpose for which such standard specialty license plate is being issued.

(B) Such standard specialty license plate shall be designed in a manner that will permit an adhesive label to be affixed at a common location on each individual plate. Such adhesive label shall contain the

name and emblem or logo of the special group or special purpose for which the standard specialty license plate is being issued.

(C) Such standard specialty license plate shall be designed by the department of safety; however, the design of the accompanying logo or emblem to be affixed to such standard specialty license plate shall remain the responsibility of the special group or special purpose for which such standard specialty license plate is being issued, subject to the approval of the department.

(4) The funds generated from the sale of the standard specialty license plates authorized by this subsection shall continue to be distributed as provided by the statutes authorizing specific cultural, specialty earmarked or new specialty earmarked plates and as provided in § 55-4-215 for new specialty earmarked plates, § 55-4-216 for cultural plates, § 55-4-217 for specialty earmarked plates, and § 55-4-218 for cultural plates to support the arts.

(5) Any and all criteria that an applicant must meet in order to be eligible for a cultural, specialty earmarked or new specialty earmarked license plate, as specified in the authorizing statute, shall continue to apply to the issuance and renewal of the standard specialty license plate replacing such plate.

(6) The provisions of this subsection shall not apply to the issuance or renewal of memorial plates, special purpose plates, or personalized plates, all of which shall continue to be issued and renewed as otherwise provided by this part.

(7) The purpose of this subsection is to reduce the administrative costs associated with the issuance of multiple cultural, specialty earmarked and new specialty earmarked license plates. In furtherance of this purpose, the

department of safety shall discontinue the issuance and renewal of all cultural, specialty earmarked and new specialty earmarked license plates authorized by this part, excluding personalized plates, effective July 1, 2005, and shall thereafter issue and renew only the standard specialty license plates provided for in this subsection and § 55-4-210(f).

SECTION 2. Tennessee Code Annotated, Section 55-4-210, is amended by adding a new subsection thereto, as follows:

(f)

(1) Effective July 1, 2005, and for all subsequent fiscal years, standard specialty license plates shall be administratively issued by the department. Applications for the initial issuance of standard specialty license plates shall be made to the department of safety. The commissioner shall compile all such requests and shall issue standard specialty license plates to qualified applicants; provided, that the minimum issuance requirements of § 55-4-201(h) and all other requirements of this chapter are met.

(2) No standard specialty license plates shall be issued that are determined by the commissioner to be obscene, duplicative, or to interfere with motor vehicle enforcement.

(3) Any cultural, specialty earmarked, or new specialty earmarked plates that have been issued prior to the effective date of this act shall be renewed as standard specialty license plates in accordance with the applicable provisions of §55-4-201 governing their initial issuance and all other applicable provisions of this chapter.

(4) Any cultural or new specialty earmarked plates that have been authorized for issuance by the general assembly prior to the effective date of this

act, have qualified for issuance prior to the effective date of this act but have not been issued by the department prior to the effective date shall be issued and renewed as standard specialty license plates in accordance with § 55-4-201(h) and (k) and all other applicable provisions of this chapter.

(5) The provisions of this subsection shall not be construed to affect the administrative issuance, or renewal, of cultural plates administratively issued and renewed prior to the effective date of this act; provided, however, on and after the effective date of this act, such cultural plates shall be administratively issued and renewed as standard specialty license plates in accordance with § 55-4-201(b)(3)(A), (h)(2) and (k) and all other applicable provisions of this chapter.

SECTION 3. Tennessee Code Annotated, Section 55-4-215(a), is amended by designating subdivision (1) as subdivision (1)(A) and by adding the following new subdivision thereto:

(B)

(i) Notwithstanding the provisions of subdivision (1)(A), effective July 1, 2005, and for all subsequent fiscal years, fifty percent (50%) of the funds produced from the sale or renewal of each standard specialty license plate initially issued pursuant § 55-4-210(f)(1), shall be allocated to an authorized organization or entity that has been designated to receive such funds in the application for the issuance of such plate. Such funds shall be used solely to fulfill the purpose or to accomplish the goal specified in the application for the issuance of such plate. Such funds may only be allocated to one (1) or more of the following organizations or entities:

(a) A nonprofit corporation;

(b) A department, agency, board, commission, or other entity established or operated by the state;

(c) A political subdivision of the state; or

(d) An institution of higher education located in Tennessee.

The remaining fifty percent (50%) of the funds produced from the sale or renewal of each such plate shall be allocated in accordance with subdivisions (a)(2) and (a)(3);

(ii) If the application for the issuance of a standard specialty license plate does not specifically designate an authorized organization or entity to receive the funds allocated by subdivision (a)(1)(B)(i), then such plate shall be designated a cultural plate for administrative purposes and the funds produced from the sale and renewal thereof shall be allocated in accordance with §55-4-216;

SECTION 4. Tennessee Code Annotated, Section 55-4-209, is amended by deleting item (2)(A) in its entirety and by substituting instead the following:

(2)

(A) "Cultural plate" means:

(i) A special or cultural motor vehicle registration plate authorized by statute prior to July 1, 1998, and enumerated in § 55-4-202(c)(5);

(ii) An honorary motor vehicle registration plate authorized by statute between July 1, 1998, and June 30, 2005, which statute does not specifically earmark the funds produced from the sale or renewal of such plate; or

(iii) An honorary motor vehicle registration plate initially issued pursuant to §55-4-210(f)(1), on or after July 1, 2005, the application for which does not specifically designate an authorized organization or entity to receive the funds produced from the sale or renewal of such plate;

SECTION 5. Tennessee Code Annotated, Section 55-4-209, is amended by deleting item (4) in its entirety and by substituting instead the following:

(4) "New specialty earmarked plate" means:

(A) A motor vehicle registration plate authorized by statute between July 1, 1998, and June 30, 2005, which statute earmarks fifty percent (50%) of the funds produced from the sale of such plate to be allocated to a specific nonprofit organization or state agency or fund to fulfill a specific purpose or to accomplish a specific goal; or

(B) A motor vehicle registration plate initially issued pursuant to §55-4-210(f)(1), on or after July 1, 2005, the application for which designates an authorized organization or entity to receive fifty percent (50%) of the funds produced from the sale or renewal of such plate;

SECTION 6. The commissioner of safety is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 7. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2005, the public welfare requiring it.